

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Kenneth L. Ketter
Debtor(s)

Bankruptcy Case No.: 17-24921-GLT
Issued Per Oct. 22, 2020 Proceeding
Chapter: 13
Docket No.: 46 – 41, 42
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 15, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The claim of PNC Bank (Claim No. 6) governs with payment changes.

No further payments will be made to South Fayette School District (Claim No. 8–2) and Township of South Fayette (Claim No. 10–2).

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

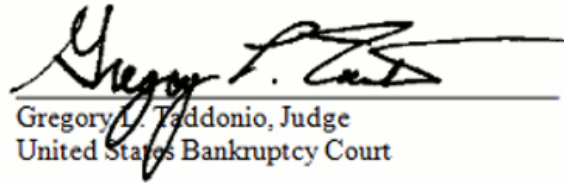
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: October 27, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Kenneth L. Ketter
Debtor(s)

Case No. 17-24921-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 27, 2020

User: jhel
Form ID: 149

Page 1 of 3
Total Noticed: 31

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 29, 2020:

Recip ID	Recipient Name and Address
db	+ Kenneth L. Ketter, 114 Bowman Street Ext., Cuddy, PA 15031-9705
cr	+ County of Allegheny, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101
cr	+ Oliphant Usa, LLC, Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite #200, Tucson, AZ 85712-1083
cr	+ South Fayette School District, Goehring, Rutter & Boehm, 437 Grant Street, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6002
cr	+ Township of South Fayette, Goehring, Rutter & Boehm, 437 Grant Street, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6002
14740623	+ Allegheny County Treasurer, Room 108 Courthouse, 436 Grant Street, Pittsburgh, PA 15219-2497
14771414	+ County of Allegheny, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh, PA 15219-6101
14740626	+ John Michael Ketter, 240 Lakeview Ct., Washington, PA 15301-8952
14740631	+ Mariner Finance Company, 1155 Washington Pike, Suite 60, Bridgeville, PA 15017-2827
14779219	+ Mariner Finance, LLC, 8211 Town Center Drive, Nottingham, MD 21236-5904
14740633	+ PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747
14764184	+ PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
14740635	Sandra Snyder, Esq., Fox & Fox Attorneys, 706 One Montgomery Plaza, Norristown, PA 19401
14771413	+ South Fayette School District, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh, PA 15219-6101
14740636	+ South Fayette School District, c/o Anne Beck, Tax Collector, PO Box 172, Presto, PA 15142-0172
14740637	South Fayette Township, c/o Anne Beck, Tax Collector, PO Box 172, Presto, PA 15142-0172
14771415	+ Township of South Fayette, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh, PA 15219-6101
14766411	++ US BANK, PO BOX 5229, CINCINNATI OH 45201-5229 address filed with court:, U.S. Bank National Association, Bankruptcy Department, PO Box 5229, Cincinnati, Ohio 45201-5229

TOTAL: 18

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14740624	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 28 2020 01:15:55	Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
14779515	Email/PDF: resurgentbknofications@resurgent.com	Oct 28 2020 02:17:41	LVNV Funding, LLC its successors and assigns as, assignee of LendingClub Corporation &, LC Trust I, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14778314	Email/PDF: resurgentbknofications@resurgent.com	Oct 28 2020 02:20:17	LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14740627	+ Email/Text: bk@lendingclub.com	Oct 28 2020 02:27:00	Lending Club, 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
14740629	Email/PDF: gecsed@recoverycorp.com		

District/off: 0315-2

User: jhel

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Date Rcvd: Oct 27, 2020

Form ID: 149

Total Noticed: 31

		Oct 28 2020 01:12:16	Levin Furniture/Synchrony Bank, PO Box 960061, Orlando, FL 32896-0061
14740630	Email/PDF: gecsed@recoverycorp.com		
		Oct 28 2020 01:12:16	Lowe's, c/o Synchrony Bank, PO Box 965003, Orlando, FL 32896-5003
14774556	+ Email/Text: bankruptcydpt@mcmcg.com		
		Oct 28 2020 02:25:00	MIDLAND FUNDING LLC, PO BOX 2011, Warren MI 48090-2011
14763871	Email/PDF: cbp@onemainfinancial.com		
		Oct 28 2020 01:12:13	ONEMAIN, PO BOX 3251, EVANSVILLE, IN. 47731-3251
14740632	Email/PDF: cbp@onemainfinancial.com		
		Oct 28 2020 01:15:44	One Main Financial, P.O. Box 183172, Columbus, OH 43218-3172
14741498	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com		
		Oct 28 2020 01:12:31	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14753657	Email/Text: bnc-quantum@quantum3group.com		
		Oct 28 2020 02:25:00	Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
14740634	+ Email/Text: egssupportservices@alorica.com		
		Oct 28 2020 02:26:00	Sam's Club & Synchrony Bank, c/o EGS Financial Care Inc., 4740 Baxter Road, Virginia Beach, VA 23462-4484
14740639	Email/PDF: gecsed@recoverycorp.com		
		Oct 28 2020 01:12:16	Value City Furniture, c/o Synchrony Bank, PO Box 965035, Orlando, FL 32896-5035

TOTAL: 13

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PNC BANK, NATIONAL ASSOCIATION
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14740628	*+	Lending Club, 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
14740638	*P++	US BANK, PO BOX 5229, CINCINNATI OH 45201-5229, address filed with court:, US Bank, PO Box 790179, Saint Louis, MO 63179-0179
14740625	##	Citibank, P. O. Box 6062, Sioux Falls, SD 57117

TOTAL: 1 Undeliverable, 3 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 29, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 27, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com

District/off: 0315-2

User: jhel

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Date Rcvd: Oct 27, 2020

Form ID: 149

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Jeffrey R. Hunt

on behalf of Creditor Township of South Fayette jhunt@grblaw.com cnoroski@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor South Fayette School District jhunt@grblaw.com cnoroski@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor County of Allegheny jhunt@grblaw.com cnoroski@grblaw.com

Kenneth Steidl

on behalf of Debtor Kenneth L. Ketter julie.steidl@steidl-steinberg.com
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@st
eidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 7